

110TH CONGRESS
1ST SESSION

S. 1502

To amend the Food Security Act of 1985 to encourage owners and operators of privately-held farm, ranch, and forest land to voluntarily make their land available for access by the public under programs administered by States and tribal governments.

IN THE SENATE OF THE UNITED STATES

MAY 24, 2007

Mr. CONRAD (for himself, Mr. ROBERTS, Mr. LEAHY, Mr. THUNE, Mr. SALAZAR, Mr. ENZI, Mr. DORGAN, Mr. NELSON of Nebraska, Mr. BAUCUS, Mr. STEVENS, Mr. KERRY, and Mrs. CLINTON) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Food Security Act of 1985 to encourage owners and operators of privately-held farm, ranch, and forest land to voluntarily make their land available for access by the public under programs administered by States and tribal governments.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Voluntary Public Ac-
5 cess and Wildlife Habitat Incentive Program Act of
6 2007”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) according to the United States Fish and
4 Wildlife Service, in 2001, 82,000,000 individuals in
5 the United States aged 16 years and older partici-
6 pated in wildlife-related recreation, including
7 48,000,000 individuals who hunted, and more than
8 66,000,000 who engaged in wildlife-related recre-
9 ation such as observing, feeding, or photographing
10 wildlife, in the United States;

11 (2) individuals who participated in wildlife-re-
12 lated activities in 2001 spent—

13 (A) an estimated \$56,000,000,000 on
14 hunting and fishing equipment and supplies;
15 and

16 (B) more than \$28,000,000,000 on food,
17 lodging, and transportation;

18 (3) purchases of hunting and fishing licenses,
19 permits, and stamps and excise taxes on goods used
20 by hunters and fishers have generated billions of dol-
21 lars for wildlife conservation, research, and manage-
22 ment;

23 (4) the growing public demand for hunting and
24 fishing opportunities accessible to the public is in-
25 creasingly constrained by the limits on both public
26 and private land resources;

- 1 (5) recreational hunting and fishing—
- 2 (A) provide essential funding sources for—
- 3 (i) wildlife habitat development;
- 4 (ii) the conservation of wildlife;
- 5 (iii) the preservation of ecosystems;
- 6 and
- 7 (iv) effective wildlife management;
- 8 and
- 9 (B) contribute to the reduction of conflicts
- 10 between people and wildlife;
- 11 (6) limited public access on private land has
- 12 often frustrated and disappointed hunters, fishers,
- 13 and other naturalists and undermined the relation-
- 14 ship between land owners and the general public;
- 15 (7) 21 States and several tribal governments
- 16 have established successful but modest walk-in pro-
- 17 grams to encourage public hunting on private farm,
- 18 ranch, and forest land, yet the demand for such vol-
- 19 untary access programs remains largely unfulfilled;
- 20 (8) traditional agricultural production methods
- 21 and markets have in recent years offered limited in-
- 22 come opportunities for farm, ranch and forest land
- 23 owners and operators; and
- 24 (9) current proposals to reform world agricul-
- 25 tural trade favor the development of new methods to

1 support the income of agricultural producers that
 2 have minimal impact on agricultural production and
 3 prices.

4 **SEC. 3. VOLUNTARY PUBLIC ACCESS AND HABITAT INCEN-**
 5 **TIVE PROGRAM.**

6 (a) IN GENERAL.—Chapter 5 of subtitle D of title
 7 XII of the Food Security Act of 1985 (16 U.S.C. 3839bb
 8 et seq.) is amended by adding at the end the following:

9 **“SEC. 1240Q. VOLUNTARY PUBLIC ACCESS AND HABITAT IN-**
 10 **CENTIVE PROGRAM.**

11 “(a) IN GENERAL.—The Secretary shall establish a
 12 voluntary public access program under which States and
 13 tribal governments may apply for grants to encourage
 14 owners and operators of privately-held farm, ranch, and
 15 forest land to voluntarily make that land available for ac-
 16 cess by the public for wildlife-dependent recreation, includ-
 17 ing hunting or fishing under programs administered by
 18 the States and tribal governments.

19 “(b) APPLICATIONS.—In submitting applications for
 20 a grant under the program, a State or tribal government
 21 shall describe—

22 “(1) the benefits that the State or tribal gov-
 23 ernment intends to achieve by encouraging public ac-
 24 cess to private farm and ranch land for—

25 “(A) hunting and fishing; and

1 “(B) to the maximum extent practicable,
2 other recreational purposes; and

3 “(2) the methods that will be used to achieve
4 those benefits.

5 “(c) PRIORITY.—In approving applications and
6 awarding grants under the program, the Secretary shall
7 give priority to States and tribal governments that pro-
8 pose—

9 “(1) to maximize participation by offering a
10 program the terms of which are likely to meet with
11 widespread acceptance among landowners;

12 “(2) to ensure that land enrolled under the
13 State or tribal government program has appropriate
14 wildlife habitat;

15 “(3) to strengthen wildlife habitat improvement
16 efforts on land enrolled in a special conservation re-
17 serve enhancement program described in section
18 1234(f)(4) by providing incentives to increase public
19 hunting and other recreational access on that land;
20 and

21 “(4) to use additional Federal, State, tribal
22 government, or private resources in carrying out the
23 program.

1 “(d) RELATIONSHIP TO OTHER LAWS.—Nothing in
 2 this section preempts a State or tribal government law (in-
 3 cluding any State or tribal government liability law).

4 “(e) REGULATIONS.—The Secretary shall promulgate
 5 such regulations as are necessary to carry out this sec-
 6 tion.”.

7 (b) FUNDING.—Section 1241(a) of the Food Security
 8 Act of 1985 (16 U.S.C. 3841(a)) is amended by adding
 9 at the end the following:

10 “(8) The voluntary public access program
 11 under section 1240Q, using, to the maximum extent
 12 practicable, \$20,000,000 in each of fiscal years 2008
 13 through 2012.”.

14 **SEC. 4. PREVENTION OF EXCESS BASE ACRES.**

15 Section 1101(g)(2) of the Farm Security and Rural
 16 Investment Act of 2002 (7 U.S.C. 7911(g)(2)) is amended
 17 by striking subparagraph (C).

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